

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PAUL O'SULLIVAN, MARIE  
BROWN, KEO YANG, SARAH  
BARSOUM, SIRINE DALLOUL,  
HALA HAWA, MONIR HAWA,  
CONSTANCE MARGERUM,  
DIANA BARLETT, YER VANG,  
and CHERIE DAVIS, individually,  
and all those similarly situated,

Plaintiffs,

vs.

DIAMOND PARKING, INC., a  
Washington Corporation;  
DIAMOND PARKING SERVICES,  
LLC, a Washington Limited  
Liability Company; and DOES 1  
through 500, inclusive,

Defendants.

CASE NO. C 07-03389 VRW

~~PROPOSED~~ ORDER GRANTING  
PRELIMINARY APPROVAL OF CLASS  
ACTION SETTLEMENT AND NOTICE  
TO CLASS MEMBERS

[Federal Rules of Civil Procedure, rule  
23(e), et seq.]

(Further Supplemental Declaration of A.  
Nicholas Georggin, Esq. filed and served  
concurrently herewith)

**TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** on November 6, 2008, at 2:30p.m., in  
Courtroom No. 6 of the United States District Court, Northern District of California  
located at 450 Golden Gate Ave., San Francisco, California, the Motion of Employee-  
Plaintiffs, PAUL O'SULLIVAN, MARIE BROWN, KEO YANG, SARAH BARSOUM,  
SIRINE DALLOUL, HALA HAWA, MONIR HAWA, CONSTANCE MARGERUM,

1 DIANA BARLETT, YER VANG, and CHERIE DAVIS, individually, and on behalf of  
 2 all persons similarly situated (hereinafter collectively "PLAINTIFFS"), for Preliminary  
 3 Approval of Class Action Settlement with Defendants, DIAMOND PARKING, INC., a  
 4 Washington Corporation; DIAMOND PARKING SERVICES, LLC, a Washington  
 5 Limited Liability Company, (hereinafter "DIAMOND PARKING"), came on regularly  
 6 for hearing with the Honorable Vaughn R. Walker, Chief Judge presiding. The Court,  
 7 having read and considered the papers filed in support of the Motion, and the argument  
 8 of counsel, HEREBY ORDERS THE FOLLOWING:

- 9       1. The Court grants preliminary approval of the settlement based upon the  
 10 terms set forth in the Settlement Agreement of Class Action Claims ("Settlement  
 11 Agreement") filed herewith. The settlement appears to be fair, adequate, and reasonable.

- 12       2. The Court Orders the following schedule of dates for further proceedings:

A. First Mailing of Notice to the Class:	Within 20 days of the after entry of this preliminary approval order.
B. Follow-up mailing to class (returned mail):	Within 10 days after receipt of returned mail.
C. Deadline to postmark Objections or to Opt Out:	Within 30 days of First Mailing or 10 days from follow-up mailing, but in no event later than February 16, 2009
D. Settlement Hearing and Final Approval:	March 5, 2009 @ 2:30 p.m. in Courtroom No. 6
E. Payment of Claims to Class Members:	Within 20 days of "Final Effective Date."
F. Payment of Attorneys' Fees to Class Counsel:	Within 7 days of "Final Effective Date."

G. Payment of Incentive Payments to the Named Plaintiffs:	Within 7 days of "Final Effective Date."
H. Administrator to file certification of completion:	Within 240 days of "Final Effective Date."

3. The Court confirms EPIQ Systems, Inc. as the claims administrator.
4. The Court confirms Krutcik & Georggin as Class Counsel and approves, preliminarily, the request for attorneys' fees and reimbursement of litigation costs.
5. The Court approves this matter as a Class Action for settlement purposes only.
6. The Court confirms Paul O'Sullivan, Marie Brown, Keo Yang, Sarah Barsoum, Sirine Dalloul, Hala Hawa, Monir Hawa, Constance Margerum, Diana Barlett, Yer Vang, and Cherie Davis as class representatives.

7. The Court approves, as to form and content, the Notice of Class Action Settlement ("Notice") filed herein and attached to the Further Supplemental Declaration of A. Nicholas Georggin, Esq. as Exhibit "A". The Court finds that the dates selected for the mailing and distribution of the Notice as set forth therein meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

**IT IS SO ORDERED.**

**DATED:** November 25, 2008




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VAUGHN R. WALKER  
Chief Judge, United States District Court